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06-25-02

PATENT -

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	Robin R. Miles et al	Docket No. :	IL-10406
Serial No. :	09/737,542	Art Unit :	1641
Filed :	December 14, 2000	Examiner	K. Padmanabhan
For :	Impedance Measurements for Detecting Pathogens Attached To Antibodies		

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

I hereby certify that the *attached* correspondence comprising:

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on 5-23-02

April Masluk

(Type or print name of person mailing paper)

April Masluk  
(Signature of person mailing paper)

REQUEST FOR REFUND

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In the subject application, a Notice of Appeal with fee of \$160.00 was filed on December 13, 2002, and a Brief on Appeal with fee of \$160.00 was filed on February 5, 2002.

The Appeal did not go forward as prosecution was reopened by the Office  
Action mailed February 26, 2002.

It is requested that the Appeal fees paid in the total amount of \$320.00 be  
refunded into Account No. 12-0695.

Respectfully submitted,

Dated: 5-23-02

A handwritten signature in black ink, appearing to read 'Alan H. Thompson', written over a horizontal line.

Alan H. Thompson  
Deputy Laboratory Counsel for  
Intellectual Property Law  
Reg. No. 29,981  
Tel. No. (925) 422-7820



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LAWRENCE LIVERMORE NATIONAL LABORATORY FINA  
ATTN: TONI BERG  
PATENT GROUP L-701  
P.O. BOX 808  
LIVERMORE CA 94550

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POSTED		CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
DAY	YR.						
11	01	309	09608778	IL-10446	561	30.00	44319.00
12	01	50	60337361	IL-10903	114	160.00	44159.00
12	01	219	10002513	IL-10624	581	40.00	44119.00
13	01	19	10007412	IL-10634	201	370.00	43749.00
13	01	20	10007412	IL-10634	202	126.00	43623.00
13	01	21	10007412	IL-10634	203	189.00	43434.00
13	01	479	PCT/US01/18970	IL-10483FOR	191	750.00	42684.00
13	01	480	PCT/US01/18970	IL-10483FOR	803	137.00	42547.00
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19	01	4	60340126	IL-10885	214	80.00	42307.00
19	01	5	60340127	IL-10835	214	80.00	42227.00
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19	01	40	09516999	IL-10335	202	42.00	41815.00
19	01	41	09516999	IL-10335	203	54.00	41761.00
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20	01	88	60340304		114	160.00	40441.00
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21	01	12	75338304	IL-10550	364	150.00	40141.00
21	01	20	60341184	IL-10956	114	160.00	39981.00
21	01	44	09478576	IL-10564	216	200.00	39781.00
21	01	97	09664674	IL-10540	219	160.00	39621.00
21	01	98	09737542	IL-10406	219	160.00	39461.00
26	01	54	60341380	IL-10948	114	160.00	39301.00
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27	01	433	PCT/US01/47685	IL-10932FOR	800	382.00	37859.00
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27	01	435	PCT/US01/47685	IL-10932FOR	566	15.00	37352.00
27	01	56	10027722	IL-10757	201	370.00	36982.00

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DAY	YR.						
4	02	1	PCT/US01/47685	IL-10932FOR	153	-450.00	105891.00
4	02	2	PCT/US01/47685	IL-10932FOR	151	700.00	105191.00
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5	02	64	10059852	IL-10381B	201	370.00	103826.00
5	02	508	PCT/US02/01862	IL-10678 FOR	150	240.00	103586.00
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5	02	510	PCT/US02/01862	IL-10678 FOR	800	407.00	102313.00
5	02	511	PCT/US02/01862	IL-10678 FOR	899	440.00	101873.00
5	02	512	PCT/US02/01862	IL-10678 FOR	566	15.00	101858.00
6	02	18	10037288	IL-10314B	203	-54.00	101912.00
6	02	122	10061088	IL-10231B	201	370.00	101542.00
6	02	123	10061088	IL-10231B	203	72.00	101470.00
7	02	36	10062315	IL-10791	101	740.00	100730.00
7	02	37	10062315	IL-10791	103	252.00	100478.00
7	02	96	10061927	IL-10231C	201	370.00	100108.00
7	02	118	09012379	IL10225	242	640.00	99468.00
7	02	119	09012379	IL10225	561	30.00	99438.00
7	02	230	09419033	IL-10534	242	640.00	98798.00
7	02	231	09419033	IL-10534	561	30.00	98768.00
7	02	241	09105585	IL-9615	242	640.00	98128.00
7	02	242	09105585	IL-9615	561	30.00	98098.00
7	02	341	09568617	IL-1026B	242	640.00	97458.00
7	02	342	09568617	IL-1026B	561	30.00	97428.00
11	02	174	09391578	IL-10146	122	130.00	97298.00
12	02	261	09110166	IL-10175	195	300.00	96998.00
14	02	172	09392497	IL-10277	219	160.00	96838.00
14	02	173	09664674	IL-10540	220	160.00	96678.00
14	02	188	09737542	IL-10406	220	160.00	96518.00
15	02	199	10001032	IL-9819	581	40.00	96478.00
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19	02	81	10062315	IL-10791	581	40.00	96118.00
19	02	162	60356184	IL-10986	114	160.00	95958.00
21	02	4	PCT/US01/49939	IL-10492 FOR	801	-450.00	96408.00
21	02	5	PCT/US01/49939	IL-10492 FOR	801	180.00	96228.00
21	02	121	09433453	IL-10081	242	640.00	95588.00

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**Office Action Summary**

Application No.

09/737,542

Applicant(s)

MILES ET AL.

Examiner

Kartic Padmanabhan

Art Unit

1641

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 10-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	Robin R. Miles et al	Docket No. :	IL-10406
Serial No. :	09/737,542	Art Unit :	1641
Filed :	December 14, 2000	Examiner	K. Padmanabhan
For :	Impedance Measurements for Detecting Pathogens Attached To Antibodies		

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